Familiarize yourself with the actual wilderness act legislation and the eastern wilderness act. One source is http://www.wilderness.net or http://thomas.loc.gov/.

Notes writeup: Chris Sharp

The Wilderness Act of 1964 established a National Wilderness Preservation System (NWPS) "to secure for the American people of present and future generations the benefits of an enduring resource of wilderness." The Wilderness Act was the fruition of an expanding national consciousness in relation to natural resources. The policy makers of the time recognised numerous values in establishing a system of protection for wilderness areas. The 1964 Act established 9.1 million acres of Forest Service land in 54 wildernesses. Now, after 101 pieces of legislation, the NWPS is composed of over 104 million acres in 628 wildernesses, in all but six States, and administered by four federal agencies: the USDA Forest Service (FS), and the USDI Bureau of Land Management (BLM), Fish and Wildlife Service (FWS), and the National Park Service (NPS) (Landres & Meyer, 2002).

What is Wilderness? Roderick Nash, in Wilderness and the American Mind, tells us that wilderness is a difficult word to define. While the word is a noun, it acts like an adjective. There is no specific material object that is "wilderness". There is no universal definition of wilderness. He believes that wilderness is so heavily weighed with meaning of a personal, symbolic, and changing kind that it is difficult to define. And, defining the character of wilderness would in turn exclude some perceptions and values.

The values for wilderness do give us some idea of the scope and breadth that a designation of wilderness needs to entail. Aldo Leopold, in Sand County Almanac, provides a number of values for wilderness that are inclusive of most wilderness advocates uses; as reservoirs of biological diversity and therefore an intrinsic scientific value, as life support systems providing essential components to the human ecosystem like oxygen, as historic and cultural values helping to define the nature of being American, as aesthetic values with an impact on recreation and spiritual applications, and the educational values drawn from experiencing nature in a natural form (Leopold, 1949). Other contemporary values for wilderness expand from this base classification as our awareness of the significance of intact watersheds, spiritual connections, and recreational opportunity, to name a few, continue to expand and become apparent.

History

It could be argued that the creation of a national wilderness preservation system was the inevitable product of natural resource conservation efforts. Under the leadership of Gifford Pinchot in 1897, management of the national forests emphasized conservation; the protection and development of the lands. However, it did not take long to recognize the need to preserve some areas in a natural state. Acting at its own discretion, the U.S. Forest Service created the first wilderness area in the Gila National Forest (New Mexico) in 1924. Shortly thereafter in 1926 W.B. Greeley, Chief Forester of the U.S. Forest Service, directed preparation of an inventory of all "de facto" wilderness in the national forests. Further protection is created when in 1929, The Forest Service issues the L-20 regulation to protect some of its "primitive" areas from commercial development until management plans are developed. The federal government also passes regulations in 1930, when Congress enacts the Shipstead-Newton-Nolan Act to protect
over 1 million acres in the Superior Primitive Area in Minnesota. This is the first federal law in American history to protect a wilderness area. While not directly linked to wilderness but of immense significance as a precedent setting establishment of federal regulatory control in use of public lands, The Taylor Grazing Act of 1934 is passed. In 1939 The Forest Service supplants the L-20 regulations with the "U Regulations". Former "primitive" areas are reclassified as "Wilderness," "wild" or "roadless," depending on size. In 1956 Senator Hubert Humphrey introduces the first Wilderness bill in the U.S. Senate. That same year Congress preserves Echo Park by passing a bill that prevents any dam from being built in National Parks or Monuments. After nine hearings, sixty six major revisions, and over six thousand pages of testimony in 1963 The U.S. Senate passes the Wilderness Bill. In 1964 House of Representatives passes the Wilderness Bill and President Johnson signs the Wilderness Act at a White House garden ceremony on September 3 (Gorte, 1994).

While the timeline of public agency and federal policy represent a logical progression for the formation of the NWPS they were driven by a significant grassroots public movement. It is unreasonable to expect to pin down the origins of public support for wilderness to a single figure, time or event. Works by John Muir, Jack London, and James Fennimore Cooper dramatically publicized wilderness over a broad time span, still inspiring people today. The impact of concepts relayed in the Turner thesis, that American culture, described as rugged individualism, is the result of exposure and awareness of wilderness, has directly influenced national policy. Perhaps the watershed event in wilderness preservation is the Hetch Hetchy Dam debate starting around 1906. The creation of a dam in a federally protected natural area created a focal point from which a wilderness preservation groundswell developed. And, the failure to protect Hetch Hetchy from construction despite massive public opposition lent support to all future preservation efforts (Nash, 1982). Significant figures in preservation lent leadership to the development of a NWPS, John Muir’s support for preservation directly and through the Sierra Club continued as David Brower assumed leadership. In 1935 The Wilderness Society is formed, led by Bob Marshall, Aldo Leopold and others. The combined efforts of conservationists in 1950 worked to prevent construction of a dam at Echo Park in Dinosaur National Monument. Immediately following the successful opposition to the dam, In 1955, Howard Zahniser, Executive Director of the Wilderness Society, writes first draft of a Wilderness Bill (Landres & Meyer, 2002). This Bill would designate lands to be protected from any form of resource extraction. And, while significantly modified by the time of its inception, was the framework for the National Wilderness Preservation System.

Breakdown of Act

The 1964 Wilderness Act established a national system of congressionally designated areas to be preserved in a wilderness condition. The initial designation of the NWPS was to establish 9.1 million acres of national forest lands that had been identified administratively as wilderness areas or wild areas. The Wilderness Act also directed the Agriculture Secretary to review the agency's 5.5 million acres of primitive areas, and the Secretary of the Interior to evaluate the wilderness potential of National Park System and National Wildlife Refuge System lands. The system by which additional lands could be designated by congress was defined in the Act. Permitted and prohibited uses of the wilderness areas was also detailed.
Section 2 establishes the reasoning and definitions of the NWPS. Sec. 2 (a) the purpose of the NWPS is “to secure for the American people of present and future generations the benefits of an enduring resource of wilderness.” Sec. 2 (b) establishes that a designated Wilderness area will be maintained as part of its current agency and that no separate appropriations will be available solely due to the designation change. Sec. 2 (c) defines in the most general terms what wilderness is “A wilderness,…, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this chapter an area of underdeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions”. Caveats are also attached, making recommendations but still no firm rules; 1. generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable, 2. has outstanding opportunities for solitude or a primitive and unconfined type of recreation,3. has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition, 4. may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value. Deliberately imprecise criteria are used for the definition in order to be both inclusive of diverse perceptions and to facilitate agency level decision making.

Section 3 establishes the extent of the NWPS. Sec. 3 (a) brings in USFS areas that already were classified as wilderness, wild, or canoe. Furthermore it sets a system for public records of those designated areas. Sec. 3 (b) calls for a review of all USFS “primitive” areas for inclusion in the system. This subsection prescribes that an act of congress is required to include recommended lands to the NWPS. Sec. 3 (c) calls for a review of all roadless areas for inclusion within ten years. Sec. 3 (d) requires the Secretaries of Interior and Agriculture to inform and include the public prior to making recommendations to the President and Congress.

Section 4 contains the use of Wilderness Areas and how they fit in the management directives of public lands agencies. Sec. 4 (a) spells out how wilderness areas “… are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered.” This section essentially establishes how wilderness is one use that agencies have to manage for and, where designated, (b) defines it as the highest use of that area. Sec.4 (c) establishes a prohibition of certain uses; no commercial enterprises, no permanent roads, no motorized equipment, no permanent structures. Sec.4 (d) establishes that there are special provisions permitting any of the prohibited uses; permitted where they have become established, are for the purpose of gathering information, and till 1984 all existing mineral leases are valid along with actions required for operation of the lease, like road building, in wilderness areas.

Sections 5, 6, and 7 all deal with administrative complexities related to the operation of the NWPS. Sec. 5 defines the procedure for trading lands and acquiring outside of the federal land holdings for the purpose of consolidating or improving a wilderness area. Sec. 6 sets up the administration of gifts, bequests and contributions. Sec. 7 defines how the Secretaries of Agriculture and Interior will make reports to Congress at the beginning of each session about the state of the NWPS.
Recent Developments

The Wilderness Act was the initial step in a series of natural resource protection policies. In 1968 The Wild and Scenic Rivers Act, similar legislation to that of the NWPS pertaining to free flowing rivers, was passed. This allowed protection, requiring Congressional approval, for designated wild rivers. The Eastern Wilderness Act of 1975 extended the protection of the NWPS to areas in the eastern States that were not initially considered for inclusion in the Wilderness Act. The Eastern Wilderness Act opened for consideration lands that did not meet the constraints of size, roadlessness, or human impact.

The Wilderness Act required a review of potentially suitable lands within the government agencies. The Secretaries of Agriculture and the Interior were to report their recommendations to the President and to Congress within 10 years (i.e., by 1974). Separate recommendations for wilderness designations were made to be made for individual areas. The initial attempt at a roadless area review was discontinued after a successful litigation against the process. In 1977, the Forest Service began RARE II, a review of 62 million acres of national forest roadless areas, as an acceleration of the land management planning process mandated by the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA) and the National Forest Management Act of 1976 (NFMA). The RARE II Final Environmental Statement was issued in January 1979, recommending more than 15 million acres (24.3 percent of the study area) for addition to the Wilderness System. Nearly 11 million acres (17.4 percent) were to be studied further in the ongoing Forest Service planning under NFMA. The remaining 36 million acres (58.3 percent of the RARE II area) were to be available for other uses; such as logging, energy and mineral developments, and motorized recreation. In April 1979, President Carter presented the RARE II recommendations to Congress largely unchanged (Gorte, 1994).

The Federal Land Policy and Management Act of 1976 (FLPMA) directed the Department of the Interior’s Bureau of Land Management (BLM) to conduct a review similar to RARE of the lands it administered within 15 years (1991). The BLM has since completed and submitted its recommendations to the President and Congress.

The addition of lands to the Wilderness system began with the 90th Congress in 1968. Congress enacted five laws that creating five new wilderness areas with 795,000 acres in four States. Wilderness designations generally increased in each succeeding Congress, rising to a peak of 60.8 million acres designated during the 96th Congress (1979-1980). The largest designation was 56.4 million acres of wilderness designated in the Alaska National Interest Lands Conservation Act. The California Desert Wilderness Act of 1994, designating 7.7 million acres of wilderness in southern California, is the second largest designation since the Wilderness Act. Since the RARE II recommendations were issued, Congress has usually debated wilderness legislation and passed designations for entire States in a single law (Gorte, 1994).

During the Reagan Administration natural resource conservation met steep opposition. The debate over wilderness designation was particularly intense during the 98th Congress (1983-1984). In 1980, the State of California successfully challenged Forest Service RARE II recommendations for 44 areas to non-wilderness uses, with the court decision substantially
upheld on appeal in late 1982. In 1983, the Reagan Administration responded by directing a reevaluation all RARE II recommendations, except in States with wilderness laws containing certain provisions. A compromise in May 1984 led to the enactment of 21 stalled wilderness laws designating 8.6 million acres of wilderness in 21 States, more laws and more acreage (outside of Alaska) than any Congress since the Wilderness System was created (Gorte, 1994).

Conclusion

The National Wilderness Preservation System is a piece of legislation with a dramatic impact on the character of the United States. The development of the NWPS was a stepwise progression of popular support and government legislative action. In 1964 the Wilderness Act succeeded in creating a wholly new designation on our public lands, preserving a diminishing resource. Current debates about wilderness designations abound, whether it is the best use of public lands, are certain prohibited uses really incompatible with wilderness, can one really manage for wilderness (an apparent oxymoron). The Act itself is considered impotent by some wilderness advocates as it requirements of Congressional designation makes it too susceptible to industry lobbyists. Also, pro-industry advocates site how wilderness areas are mostly visited by a cultural/educational/economic elite and as a national resource these areas need to be opened up to other uses for the public at large. The controversy illustrates the difficulty that such an Act would face trying to get passed today. However, the preservation afforded by the Wilderness Act continues to provide citizens access to a natural resource in short supply.